Manitoba

Annual Report 1987 - 88

Manitoba Police Commission

Manitoba

The Attorney General

Room 104
Legislative Building
Winnipeg, Manitoba, CANADA
R3C 0V8

His Honour
The Honourable George Johnson
Lieutenant-Governor of Manitoba

Your Honour:

It is my pleasure to present the 1987-88 Annual Report of the Manitoba Police Commission. This report details the Commission's accomplishments and activities for a 12-month period, from April 1, 1987 to March 31, 1988.

I trust this meets with your approval.

Respectfully submitted,

Jim McCrae
Attorney General for the
Province of Manitoba

Manitoba

Attorney General Manitoba Police Commission

5th Floor
405 Broadway
Winnipeg, Manitoba, CANADA
R3C 3L6

(204) 945-2825

The Honourable James McCrae
Attorney General for the Province of Manitoba
Legislative Building
Winnipeg, Manitoba

Sir:

The undersigned, pursuant to Section 22(7) of the Provincial Police Act, has the honour to present the Manitoba Police Commission Annual Report for the period April 1, 1987 to March 31, 1988.

Laurie P. Allen
Acting Chairperson

Working Together To Prevent Crime

Table of Contents

TITLE	PAGE
Introduction	7
The Role of the Commission	7
Commission Membership	7
Commission Staff	7
Commission Activities	8
Program Objectives	8
Police Commission Role Study	8
Commission Meetings	8
Conferences	8
Sexual Assault Investigation Protocol	8
High Speed Police Pursuit Guidelines	9
Police Firearms and Equipment	9
Police and the Public Posters	9
Police Training	9
Appeals	10
Police Training and Education	11
Canadian Police College	11
Training of Native Constables	11
Information Services	12
Library	12
Crime Prevention Publications	12
Crime Prevention and Police-Community Relations	13
Crime Prevention Committee	13
Crime Prevention Presentations and Displays	13
Manitoba Home Protection Program	13
Crime Prevention Seminars	13
Special Traffic Committee	14
Safe Grad Committee	14
Summer Student Program	14
Operation Provident	14
Appendices	15

Introduction

The Role of the Commission

The Manitoba Police Commission, instituted under the Provincial Police Act (Chapter P150 of the Legislative Assembly of Manitoba) — has a broad mandate under Section 24 "to promote the prevention of crime, efficiency of police services and police/community relationships in the Province"; methods by which to fulfill the mandate are included in the Section.

The Commission has other functions under the Act:

(a) As directed by the Lieutenant Governor in Council, to inquire into and report upon any matter relating to:

  (i) the causes, extent, investigation or control of crime; or

  (ii) the enforcement of law.

(b) Where a complaint is made to a local police commission on the conduct of a member of a police force, or any matter relating to the maintenance and operation of a police force:

  (i) to direct that commission to inquire into and make a determination of the complaint; and

  (ii) hear an appeal from any person aggrieved by the order or determination of the local commission.

  After hearing an appeal, the Commission may dismiss the appeal, substitute a decision or order, or make its own findings of facts and remit the matter back to the local police commission; it may also award reasonable costs. The decision of the Commission on an appeal is final.

The Commission also hears applications under the Law Enforcement Review Act. When the Commissioner of the Law Enforcement Review Agency declines to take further action on a complaint of disciplinary default on the grounds it is frivolous or vexatious or does not fall within the scope of Section 29 of the Act, the complainant may apply to the Commission for an order requiring the Commissioner to refer the complaint to the Law Enforcement Review Board for a hearing. To reach a decision, the Commission hears submissions from the parties in support of or in opposition to the application.

Commission Membership

Under the provisions of Section 22 of the Provincial Police Act, the Commission is composed of not less than five persons appointed by the Lieutenant Governor in Council; one of the members is designated as Chairperson and another as Vice-Chairperson.

Arne Peltz resigned as Vice-Chair for personal reasons as of November 1, 1987 and Susan Devine relinquished the Chair of the Commission on her appointment to the Provincial Court on February 1, 1988; Bernard Dionne joined the Commission on August 5, 1987.

As of the date of this report, the members of the Commission are:

Laurie P. Allen, Acting Chairperson
Dr. Ken Hanly, Member
Jim Sinclair, Member
John Jack, Member
Bernie Dionne, Member

Commission Staff

The Commission anticipated an Executive Director and a Research Assistant would be hired on a permanent basis during the fiscal year. Unfortunately, positions were not available and no staffing action occurred.

Acting Executive Director — A.T. (Sandy) McHaffie
Crime Prevention Coordinator — Lorne Gregorash
Administrative Secretary — Michèle Dupuis

Commission Activities

Program Objectives

The Commission has laid down the following objectives in order to more effectively carry out its mandate under the Provincial Police Act:

1. To assist in maintaining and improving police effectiveness and efficiency through receiving and reviewing reports on municipal policing; and providing advice, guidance and information on all policy matters relating to police and policing, and on crime prevention, to municipal police authorities throughout the Province;
2. To assist in maintaining and improving municipal police services by promoting mutual awareness, understanding and support between police and the communities they serve;
3. To assist in maintaining and improving external and internal police effectiveness and credibility through hearing appeals from decisions on public complaints and from departmental discipline.

The Commission has developed a number of strategies by which to fulfill the program objectives.

Police Commission Role Study

Lack of resources permitted only minimal policy development along the lines envisaged in Professor Linden's Study of the Role of the Manitoba Police Commission, mentioned in last year's report. However, during the year a Study into the functioning of the Law Enforcement Review Agency was broadened to include the Commission. Results are awaited at the time of writing.

Commission Meetings

The Commission met on some 27 occasions, either in full committee, in subcommittee or other session, to attend to a variety of regular business items, hear appeals or deal with special projects.

Conferences

12th Annual Symposium of Provincial Police Commissions Halifax, Nova Scotia, September 20 to 23, 1987

The Symposium was attended by representatives from nine provinces including Manitoba. A presentation on the highlights of the year's activities was made by the Chairperson of each Commission, followed by questions and discussion.

Panel members for a discussion on "The Challenge of Future Directions in Policing" were drawn from the Department of the Nova Scotia Attorney General, St. Mary's University and Halifax City Police. Considerable attention was given to the community-based policing project underway in Halifax, its success and possible expansion.

His Honour Patrick H. Curran, Judge of the Provincial Court, speaking on "The Use of Force — A View from the Bench", reviewed a number of cases brought before him in which allegations of use of excessive force were made against the police; discussion followed on how this problem could be approached in the jurisdictions present.

A presentation by Dr. Malcom Matheson, Chairman of the British Columbia Police Commission, covered the Study on the Surreptitious Use of Video Equipment in Law Enforcement in that Province. Our Commission has reviewed the Study and supports the need for controls on this area of police activity.

The Symposium was considered a success, giving an opportunity to discuss topics of mutual concern and interest to Commissions across the country. The administration of justice benefits from the interchange of ideas and the standardization of policies.

Sexual Assault Investigation Protocol

A Protocol to assist with police investigations of sexual assault complaints was completed and circulated for discussion.

A sexual assault is a violation of the person, of integrity and of rights. The Protocol requires that investigation of the offence be given special care and attention. Police officers must be on the alert for and responsive to the traumatic effects of the assault, avoid personal biases or the drawing of inferences from a victim's actions, and give particular attention to a complainant's well-being, comfort and general condition as the investigation proceeds.

The Commission believes initial training in handling sexual assault complaints should be the standard for all police department recruits, as should in-depth refresher training for personnel handling these investigations; officers should be required to advise victims of, and refer them to,

community follow-up services for counselling, help and support; the polygraph should be used only under very limited circumstances; and a sex assault complaint file should not be closed as "unfounded" until it has been given a special review.

High Speed Police Pursuit Guidelines

The Commission developed and circulated guidelines and other recommendations to address the issue of high speed pursuits, expressing concern over the deaths, injuries and property damage which frequently result.

The Commission believes the most effective way to reduce these consequences is to cut down the number of pursuits by limiting the circumstances under which they may be undertaken — a view towards which police jurisdictions generally are slowly moving. Equally, however, the need is recognized for provisions in the law which will deter would-be violators, and for ways to aid law enforcement, so the public continues to be adequately protected.

Routine police duties (such as checking speeders), which may require overtaking and stopping motorists, would not be affected by the pursuit guidelines, which would apply only to situations in which the offending driver attempts to outrun the police. This avoids interference with day-to-day police activities, and addresses only that problem which creates risks to the public and to the police themselves.

Based on these considerations, the Commission has proposed conditions under which a high speed pursuit should not be undertaken — or should be abandoned — highlighting innocent passengers, juveniles, impaired drivers and two- or three-wheeled vehicles for particular attention.

In the Commission's view, pursuits should be undertaken only by police vehicles marked as such and with audible and visible equipment in operation, unless under special authority of a supervisor, one of whom should be in dispatch control of every pursuit — although the pursuing officer should be entitled to abandon the chase if he or she feels conditions warrant. Police drivers likely to become involved in pursuits should be given special training in pursuit techniques to help them with vehicle control.

To address all aspects of the problem, the Commission further sees a need for:

- more severe penalties by law for violators who fail to stop on direction of the police, and for those who attempt to evade police;
- a public education campaign to educate drivers on the undesirable consequences of becoming involved in a police pursuit;
- greater use of cameras by police to record violations, thus reducing the need for pursuits;
- an inter police-departmental communications system to assist pursuit cooperation between departments.

Discussions are underway with the police over the impact of the recommendations.

Police Firearms and Equipment

The Commission developed a set of draft regulations to control the type of firearms and equipment municipal police forces may use in the course of their duties — a topic not previously addressed in the Province.

Basic objectives of the regulations, while recognizing the need for adequate protection of the police, are to provide uniformity and control of firearms, ammunition and other equipment used by Manitoba police forces, and to ensure police personnel are adequately trained in their use; also to provide for reports to be submitted to the Commission when police discharge firearms in the course of their duties. Provision is made for the special firearms and equipment required for emergency situations.

The draft regulations were circulated to police departments and replies are now under consideration.

Police and The Public Posters

To help in promoting mutual awareness and understanding between police and their communities, to encourage public support for the police and to ensure the public is aware of the means whereby complaints may be made to the Law Enforcement Review Agency, the Commission had two posters developed and sent to all municipal police departments in the Province, with the request they be displayed prominently in public areas.

Police Training

The Commission remains most concerned over the lack of training available for Manitoba municipal police. Other than for the Winnipeg Police and on occasion the Brandon Police, official organized training programs are not available within depart-

ments. The Commission has accordingly commenced an examination of alternatives in this area, with a view to making recommendations to enhance quality police services in the Province.

Appeals

During the period of this report, the Commission heard one appeal from a decision of the Commissioner of the Law Enforcement Review Agency. No appeals were heard from internal discipline.

(a) Public Complaints Against the Police

The complainant alleged that while he was in his former common-law wife's residence, two police officers broke into the dwelling, assaulted him, swore at his spouse, insulted him, arrested him improperly and unnecessarily handcuffed him.

The Commissioner of L.E.R.A. investigated and concluded from the accounts of those involved that sorting out the truth would occur in the course of the court disposition of the charges against the complainant; he concluded he should take no further action, in accordance with Section 13(1) of the Law Enforcement Review Act.

The Complainant applied to the Commission for an order requiring the Commissioner to refer the complaint to the L.E.R.A. Board. After hearing submissions from the parties involved, the Commission found the complainant's allegations were not devoid of all merit or abusive of the process of the court, and were within the scope of Section 29 of the Law Enforcement Review Act. In allowing the application, the Commission stated that if the complaint was to be dismissed, based on a weighing of the evidence and the application of the proper standard of proof, then the dismissal should come from the Board and not from the Commissioner at an administrative stage.

The Commission also noted the complainant represented himself at their Hearing and recommended the Legal Aid Society consider granting counsel for purposes of exploration, resolution and if necessary a hearing before the Law Enforcement Review Board.

(b) General

As in previous years, the Commission received a number of complaints over which it had no primary jurisdiction. These ranged from improper police entry and search, through failure to release information, failure to properly respond to a call for assistance and failure to carry out an adequate investigation, to improper arrest and charge. These complainants were advised of the proper channels to follow, either the Chief of Police, local police commission or Law Enforcement Review Agency.

An appeal against a decision of the Law Enforcement Review Board was received, but the Commission has no powers in that regard. Section 31(1) of the Law Enforcement Review Act provides for an appeal only to Court of Queen's Bench (on a matter of jurisdiction or a question of law alone). The complainant was advised accordingly.

Police Training and Education

Canadian Police College

The Commission continued to coordinate the allotment of positions for courses at the Canadian Police College, Ottawa, Ontario. Attendance at a wide variety of courses shows the interest of police departments in upgrading the skills and knowledge of their officers. In all, 50 police officers from Manitoba attended the courses shown at Appendix "B". This number included 43 from Winnipeg, 6 from Brandon and 1 from East St. Paul.

Training of Native Constables

St. Benedict's Educational Centre located just north of Winnipeg was used as the facility for two training courses coordinated by Law Enforcement Services and funded by the Department of Indian and Northern Affairs Canada. Native Constable Basic Training Class #18 began October 19th and concluded October 30th, 1987, with 21 Band Constables and 5 Community Constables from Manitoba successfully completing the course. This course is designed primarily to provide constables with a basic knowledge of their powers and responsibility as peace officers, through instruction on the Criminal Code, federal and provincial statutes, investigational techniques, and some practical exercises.

Native Constable Intermediate Training Class #19 was held from November 23rd to December 4th, 1987 with 3 Community Constables and 12 Band Constables participating. The syllabus included instruction on the Criminal Code, and the most frequently used provincial and federal statutes. Boating safety, emergency first-aid, domestic crises intervention, child and spousal abuse, drugs and drug identification, crime prevention, and an overview of the criminal justice system were additional subjects provided to the candidates.

As a new venture during evening sessions, both classes were shown a 40-minute video called "The Honour of All", a dramatic portrayal of how a B.C. Indian Band turned a drastic alcohol problem on their Reserve into a situation where they now enjoy 95% sobriety amongst their residents. The video was followed by a lecture from a Community Constable and former alcohol counsellor, who highlighted important aspects of the situation including initial recognition by residents themselves, corrective measures they undertook, and the ultimate satisfaction of results achieved.

Lecturers from various components of the criminal justice system were used as resources for the two courses, with primary participation coming from the R.C.M.P.

Information Services

Library

The Commission maintains a small library, stocked with publications on police training, security, crime prevention, and law enforcement in general. Many law enforcement periodicals are catalogued and available to police officers, students and the public. Specific articles on the administration of justice are filed for information and research purposes.

Crime Prevention Publications

The Commission stocks a variety of pamphlets and booklets, available to the public, businesses, law enforcement agencies and other groups, on a number of crime prevention programs:

- Business Security
- Fraudulent Cheque Protection
- Auto Theft Protection
- Operation Provident
- Operation Identification
- Tips to Stop Shoplifting
- Manitoba Committee on Wife Abuse
- Officer Ollie coloring books
- Don't Run Away
- Officer Ollie Explains the Facts

The newest booklet, Officer Ollie Explains the Facts, was published in the spring of 1985 and made available for use by police in schools. The booklet covers the subject of alcohol and drug abuse and is intended for older elementary and junior high schools.

Crime Prevention and Police-Community Relations

Crime Prevention Committee

The Commission acknowledges the efforts of the Crime Prevention Coordinator, and the excellent support freely given by the R.C.M.P., Winnipeg Police, and other police departments. All deserve the highest praise for their work in this area.

The Crime Prevention Committee, established in 1976, works to coordinate the exchange of crime prevention information and materials among law enforcement agencies and the public in Manitoba. Representatives come from the R.C.M.P., Winnipeg Police Department, Brandon City Police, Manitoba Police Commission, Canadian Armed Forces Military Police, Government Security Services, 7-Eleven Food Stores, East St. Paul Police Department, Winkler Police Department, Morden Police Department, D.O.T.C. Police and the Canadian Pacific Railway Police.

Ten regional meetings were held throughout the Province, together with three Crime Prevention Seminars — at Brandon, The Pas and the City of Winnipeg.

The Core Committee hosted the Solicitor General's Awards Banquet held in November to recognize citizens' contributions to crime prevention. This Committee also set up the Kick-Off Crime Prevention Breakfast and assisted the Solicitor General's Department in setting up Crime Prevention Week.

Crime Prevention Presentations and Displays

School Program

The Commission's Crime Prevention Coordinator gave presentations in 65 schools, an increase of 14 over last year. The Officer Ollie public relations police mascot performed to approximately 15,035 students. In its six years of cperation, the safety and crime prevention program involving Officer Ollie has been presented to approximately 95,000 children. In demand in the schools and by local police departments as a police-community relations tool, it is used on television, in newspapers and in other media programs.

As an initiative this year visits were made to Hutterite communities and isolated Indian reserves. Presentations in those areas were geared to local concerns and in all cases the crime prevention messages were very well received, with requests for return visits in coming years. We feel this is a major step forward in our crime prevention program.

Special Presentations

In addition to these activities, the Crime Prevention Coordinator made presentations to a number of adult groups on special topics: farmers (range patrol); business persons (business security, cheque and credit card frauds and armed robbery); home owners (home security, Neighbourhood Watch); senior citizens (personal security and freedom from fear of crime). The Coordinator attended the annual Block Parent Program meeting held in Neepawa, and made presentations to other groups and organizations.

Crime Prevention Trailer

The Commission's mobile crime prevention 28-foot trailer, booked steadily from June to the end of September, operated for a total of 48 days in locations throughout Manitoba. Approximately 10,652 people visited the display.

In areas which could not accommodate the trailer (such as malls), the Crime Prevention Coordinator spent a total of 24 days working in display booths, set up by either Winnipeg Police or R.C.M.P. members throughout the Province. A display was also set up in the Law Courts Building.

Manitoba Home Protection Program

This year the Manitoba Home Protection Program came into full swing. The Program, in great demand and very popular, gives advice on home security measures which may be incorporated during the building stages, or into homes already built. A Manitoba Home Protection Program Committee was formed involving insurance companies, police, media and others. The Committee met on 28 occasions and held two press conferences — in Winnipeg and Brandon.

Crime Prevention Seminars

The Crime Prevention Coordinator attended three major crime prevention seminars this year — in Ottawa, in Montreal and in the City of Winnipeg.

Suitable ideas from these seminars will be incorporated into crime prevention programs in the Province in the coming year.

Special Traffic Committee

The Commission is represented on a special Traffic Safety Committee established to consolidate information about traffic safety programs. The terms of reference are:

1) to provide timely information and advice to Ministers in connection with all aspects of highway safety, pedestrian safety, and the correct management of all vehicular traffic in the Province of Manitoba;

2) to make inquiries, receive representation from interested parties and identify opportunities to recommend any necessary changes to Ministers.

Some 20 Committee meetings and 3 Subcommittee meetings have been held and the Committee has set the following priorities for the coming year: seatbelt and child safety legislation, corridor safety, bicycle safety and drinking and driving. The seatbelt safety program implemented by the Committee last year is continuing.

Safe Grad Committee

The function of the Safe Grad Committee is to eliminate accidents, death and misfortune by promoting safe practices in relation to alcohol and drugs among young persons. The no-alcohol party is considered to be the viable alternative. Approximately nine Safe Grad meetings have been held during the course of the year as well as two Safe Grad seminars — one in Winnipeg and one in Brandon — with a total attendance of approximately 670 students from throughout the Province. The Crime Prevention Coordinator is the Commission's representative on the Committee.

Summer Student Program

The Commission again employed two summer students through the government's Student Temporary Employment Program (STEP) for periods of 14 weeks during the summer of 1987. Both students travelled with the Crime Prevention Coordinator assisting with displays at fairs, exhibitions, Officer Ollie presentations and other events.

Both students were a great asset to the overall display program, which could not carry on to the extent it does without their help.

The students were given a short training session prior to starting with the Coordinator by working for approximately two weeks with the Winnipeg City Police Crime Prevention Unit.

Operation Provident

The Commission continued to be the central registry for businesses joining the Operation Provident property identification program. There were 332 Provident numbers assigned during 1987-88.

Since the program began in 1979, the Commission has issued 6,090 Provident numbers.

Appendices

Appendices "B", "C" and "D" list cities and towns in Manitoba where municipal policing is in place, either through contract with the R.C.M.Police, or as a local municipal department. Only those in "D" fall within the scope of the Commission, however.

Appendices "E" and "F" show locations where Native Police Forces or Community Constables are in place. Training has been provided for a number of these officers, as recorded elsewhere in this Report.

Appendix "A"

Canadian Police College

Courses attended by Manitoba police officers 1987 and 1988:

Adaptive Organization Workshop
Commanders-Hostage/Barricaded Persons
Community Problem Analysis and Program Management
Comprehensive Auditing Course
Computer Crime Investigative Techniques
Computer Technology for Police Managers
Counterfeit Investigative Techniques
Crisis and Conflict Intervention
Drug Investigative Techniques
Executive Development
Financial Management Workshop
Fitness Leadership
Gambling Investigative Techniques
Identification Methods and Techniques
Identification Methods and Techniques (Advanced)
Instructional Techniques
Intelligence Analysis
Major Crime Investigative Techniques
Media Communications
Microtechnology Familiarization
Multi Cultural Trainers' Course
Negotiators-Hostage/Barricaded Persons
Perspectives in Police Management
Police Explosives Technicians
Police Explosives Technicians (Validation)
Police Labour Relations
Polygraph Examiners
Radiography
Senior Police Administration
Systems Approach to Training Design and Delivery
Technical Traffic Accident Investigation
Vehicle Theft (Advanced) Investigative Techniques

Appendix "B"

Royal Canadian Mounted Police Municipal Policing Contracts

Beausejour (Town of)
Boissevain (Town of)
Carman (Town of)
Dauphin (Town of)
Flin Flon (City of)
Gillam (L.G.D. of)
Gimli (Town of)
Killarney (Town of)
Leaf Rapids (L.G.D. of)
Lynn Lake (L.G.D. of)
Minnedosa (Town of)
Neepawa (Town of)
Pinawa (L.G.D. of)
Portage la Prairie (Town of)
Roblin (Town of)
Russell (Town of)
Selkirk (Town of)
Souris (Town of)
Steinbach (Town of)
Stonewall (Town of)
Sundance (Manitoba Hydro Limestone Project)
Swan River (Town of)
The Pas (Town of)
Thompson (City of)
Virden (Town of)

Appendix "C"

Royal Canadian Mounted Police Extension Contracts

Arborg (Village of)
Birtle (Town of)
Carberry (Town of)
Deloraine (Town of)
Gladstone (Town of)
Grandview (Town of)
Hamiota (Village of)
Lac du Bonnet (Village of)
MacGregor (Village of)
Manitou (Village of)
Melita (Town of)
Morris (Town of)
Niverville (Town of)
Pilot Mound (Village of)
Pine Falls (Townsite of)
St. Pierre (Village of)
Ste. Rose du Lac (Village of)
Shoal Lake (Village of)
Snow Lake (Town of)
Teulon (Village of)
Treherne (Village of)
Winnipegosis (Village of)

Appendix "D"

Municipal Policing

Altona (Town of)
Brandon (City of)
East St. Paul (R.M. of)
Gilbert Plains (Village of)
Morden (Town of)
Rivers (Town of)
Ste-Anne (Village of)
Winkler (Town of)

City of Winnipeg

District 1 Inner-City
Winnipeg West

District 2 St. James Assiniboia

District 3 North Winnipeg
West — Old Kildonan

District 4 East — North Kildonan
Transcona

District 5 St. Boniface
St. Vital

District 6 South Winnipeg
Fort Garry
Charleswood
Tuxedo

Appendix "E"

D.O.T.C. Police Department Reserve Detachments

Birdtail Sioux
Long Plain and Dakota Plains
Oak Lake Sioux
Roseau River
Sandy Bay
Sioux Valley
Swan Lake
Brandon (H.Q.)

Appendix "F"

Northern Community Constable Policing

Barrows
Berens River
Brochet
Camperville
Cormorant
Crane River
Duck Bay
Easterville
Manigotagan and Seymourville
Moose Lake
Pelican Rapids
Sherridon
South Indian Lake
Waterhen